

## **MAINE FIRE PROTECTION SERVICES COMMISSION MEETING MINUTES – APRIL 30, 2001**

The meeting of the Commission was called to order by Chairman William O’Gara at 1:02 P.M. at the Maine Emergency Medical Services conference room in Augusta with the following present: Jack Berry, Jay Bradshaw, Jeff Cammack, John Cannon, John Dean, Darrel Fournier, Al Godfrey, Ted Johnston, Randy Keep, Jeff Maker, Bill O’Gara, Tom Parent, Jethro Pease and Steve Willis. Members absent were: Michael Albert, Clifton Foster, Harty Norris, Michael Quint, Christine Savage and Dave Wacker. Guests present were: Earle Welch, Jr., Asst. Chief – Wayne Fire Department; Charles Solton, Esq., Legislative Lobby – Maine Insurance Companies; Dick Johnson, Maine Bureau of Insurance; and Mark Landry, Maine Revenue Service.

The minutes of the April 9, 2001 meeting were amended by Jay Bradshaw to show that he had abstained from voting on support of L.D. 1561.

John Dean then presented the first draft of the proposed By-Laws of the Maine Fire Protection Services Commission. A brief discussion ensued and it was concluded that a detailed discussion should take place at the May 14, 2001 meeting after everyone has had the opportunity to review and digest the proposal.

Jay Bradshaw advised that he, John Cannon and John Dean had interviewed two candidates for the staff position on April 27, 2001, that they were following up on a couple of issues and that they would have a decision on a candidate ready for the May 14, 2001 meeting.

A discussion then ensued regarding the Health Care Actuarial Study ad-hoc committee conference call on the issue. The participants in the conference call were Randy Keep, Darrel Fournier, Ted Johnston and Steve Willis. Notes of the meeting were handed out to the Commission Members. Dick Johnson of the Bureau of Insurance commented on the study. John Cannon cautioned the Commission Members not to fixate on a 55 to 65 year old age group as 65 is the maximum age, however, the lower age is open ended at the point when a firefighter has completed their retirement plan obligations and can retire. This age is in many cases in the mid to late 40’s. It was suggested that a survey go out to all Departments to determine the total number of firefighters we have in Maine. The Commission Members then determined before the survey can go out we need to develop the definition of a firefighter first.

It was then brought up that we really need to consider how we go about arriving at the total. It was suggested that maybe we can use other state’s information. Also we might sample sections of the State of Maine and extrapolate to arrive at a workable total. It was concluded that we need a total broken down by age and sex to start.

A motion by Jay Bradshaw, 2<sup>nd</sup> by John Cannon to work with the Maine Fire Chiefs Association, the Maine State Federation of Firefighters and the Professional Firefighters of Maine in developing contacts with each Department was passed unanimously. The Commission Members that will coordinate these efforts are Darrel Fournier with the Maine Chiefs, Jeff Maker with the Federation, John Cannon with the Professionals and Steve Willis with MFT&E. Tom Parent advised that the Maine Forest Service has a mailing list of all of the Town Wardens in the state and this might be a good resource.

Steve Willis will develop the questionnaire with the Commission Members suggesting that it include at least who the local fire department contact is; the number of firefighters in the department; age groups 18-25, 25-35, 35-45, 45-55, 55-65, over 65; & Sex M/F. John Dean Agreed that the Fire Marshal's office could be the return location with the responses being returned in self addressed postage paid envelopes. We need to also include a deadline for return.

At this point Darrel Fournier, Vice-Chairman took over the meeting as Chairman O'Gara had to return to the statehouse for legislative proceedings.

The meeting then covered the Fire Investigation and Prevention Tax problems. Dick Johnson and Mark Landry advised the Commission Members on revenue collection issues. A multitude of questions and answers then ensued. A suggestion was discussed that perhaps a fee for service might be instituted by the Commission to allow the Fire Marshal Office to be reimbursed for investigations in the self-insured area. It was also suggested that the Commission contact the Attorney General Department for a ruling as to whether Associations or Risk Pools not currently paying the tax should actually be doing so. If the ruling comes back that they are not required to do so the Commission then needs to develop legislation requiring that it be done.

Mark Landry advised that his office will be more aggressive in auditing insurance companies to insure that they are paying their proper share. Landry further suggested that the Commission should feel free to request a ruling from the Attorney General on the fire tax issue.

Dick Johnson advised he personally feels the state is currently collecting about all that it can from personal lines and that the Commission should look at how to address the commercial area to increase the tax income.

A motion by Ted Johnston, 2<sup>nd</sup> by John Cannon that the Commission contact the Attorney General Department requesting an opinion on the application of the Fire Investigation and Prevention Tax on Associations, Risk Pools, Surplus Lines, Risk Retention Groups, etc. relating to current statutes was approved unanimously.

A motion by Jethro Pease, 2<sup>nd</sup> by Jack Berry to respond to the Maine Fire Chief's Association letter regarding fire reporting by advising the Association to research positive ways to improve reporting rather than punitive methods, and that this Commission will work with them in this regard, was approved unanimously.

It was noted that the next meeting of the Commission will be held Monday, May 14, 2001 at 1:00 PM at the Maine EMS conference room in Augusta followed by a meeting on June 4, 2001 at the same time and place.

With no further business the Commission meeting adjourned at 3:36 PM.

Respectfully submitted,

Albert L. Godfrey, Sr., P.E., P.L.S., C.S.E.  
Secretary

